

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

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NORMENT SECURITY GROUP, INC.,)
a Delaware corporation,)

Plaintiff,)

v.)

DIEBOLD INCORPORATED, an Ohio)
corporation,)

Defendant.)

DEBRA P. HACKETT, CLK
U.S. DISTRICT COURT
MIDDLE DISTRICT ALA.

CV- 2:05cv1197-B

NOTICE OF REMOVAL

COMES NOW the Defendant, DIEBOLD INCORPORATED, an Ohio corporation, and files this, its Notice of Removal of this action, from the Circuit Court of Montgomery County, Alabama, to the United States District Court for the Middle District of Alabama, Northern Division. As grounds hereto, this Defendant shows unto the Court as follows:

1. This is a civil action against this defendant arising from an allegation of breach of contract and/or money owed filed pursuant to Alabama law.

2. This civil action was filed on November 7, 2005 in the Circuit Court for Montgomery, Alabama bearing civil action no. CV-05-2856. True and correct copies of the State Court pleadings in this action are attached hereto as Exhibit "A" to this Petition.

3. Based upon the allegations of the Complaint, the plaintiff Norment Security Group, Inc. is a Delaware corporation having its principal place of business in Montgomery, Alabama.

4. The defendant Diebold, Inc. is a corporation organized under the laws of Ohio with its principal place of business in Ohio.

5. This a civil action removed pursuant to 28 U.S.C. § 1441 as this action is an action for which the Court had original jurisdiction based on diversity of citizenship and the amount in controversy as set out in 28 U.S.C. § 1332. Removal is appropriate because the parties are citizens of different states and the defendant is not a citizen of the State of Alabama and does not have its principal place of business in the State of Alabama.

6. The Complaint was served on this defendant on November 15, 2005 within thirty (30) days of the date in which this defendant filed this Notice of Removal. No general appearance has been served in State Court by this or any other defendant. There are no other named defendants.

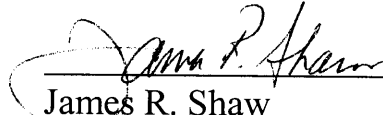
7. A true and correct copy of this Notice of Removal is being served on counsel for the plaintiffs on this date.

8. A true and correct copy of this Notice of Removal is being filed with the Clerk of the Circuit Court for Montgomery County, Alabama on this date.

9. There is a complete diversity of citizenship between the plaintiff and the defendant and the defendant is not a resident of the State of Alabama. The defendant is desirous of removing this action to Federal Court.

Wherefore, premises considered, the defendant Diebold Incorporated prays that the above styled cause be removed from the Circuit Court for Montgomery County, Alabama to the United States District Court for the Middle District of Alabama, Northern Division.

Respectfully submitted,


James R. Shaw
[ASB: 7523 H49J]
Attorneys for Defendant,
DIEBOLD INCORPORATED

OF COUNSEL:

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CERTIFICATE OF SERVICE

I do hereby certify that I have served a copy of the above and foregoing Notice of Removal on the following attorneys of record by mailing a copy of same in the United States Mail, properly addressed and first-class postage prepaid, on this the 15th day of December, 2005:

Marvin H. Campbell
P. O. Box 4979
Montgomery, AL 36103

Angela J. Crosby
3224 Mobile Highway
Montgomery, AL 36108


OF COUNSEL